



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/562,119	03/14/2007	Bent Neubauer	742111-171	5539
25570 7590 12/13/2007 ROBERTS, MLOTKOWSKI & HOBBS P. O. BOX 10064 MCLEAN, VA 22102-8064				
			EXAMINER PAIK, STEVE S	
			ART UNIT 2887	PAPER NUMBER
			NOTIFICATION DATE 12/13/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Dbeltran@rmhlaw.com
LGallagher@rmhlaw.com

Office Action Summary

Application No.

10/562,119

Applicant(s)

NEUBAUER, BENT

Examiner

Steven S. Paik

Art Unit

2876

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 3/14/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. Applicant(s) are reminded to include the following in the next communication with respect to the header(s) within the specification, as following:

a) -- **Background of the Invention** --: The specification should set forth the Background of the Invention in two parts: -- **Field of the Invention** -- and -- **Description of the Related Art** --.

b)____-- **Brief Summary of the Invention** --.

c)____-- **Brief Description of the Several Views of the Drawing(s)** --.

d)____-- **Detailed Description of the Invention** --.

Appropriate correction is required.

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over HOJ (WO 00/75878 A1, cited by the applicant) in view of Yamaguchi et al. (US 6,995,755B2).

Re claims 1-6, Hoj discloses a device for displaying the time of parking of a vehicle. The device may be mounted on a vehicle and comprises means for at least externally indicating a time for initiation of the parking (see page 2 of the reference : This object is achieved by a device for displaying the time of parking of a vehicle by placing the device on the screen of the vehicle, said device comprising display means which receives a timer signal from a time signal generation means via control means, said control means being connected to the ignition system of the vehicle in such a way that the update of the time display is frozen once the ignition of the vehicle is turned off, and in such a way that the control means are adapted to receiving the time signal from an external signal generation means.), where means for indicating the time consists of an electronic display (LCD display with a translucent or transparent background) which during normal driving is connected to an electronic clock, where the display during normal driving shows the actual time (By using an external time signal representing the actual present time, a device according to the invention is automatically adjusted in accordance with the actual time zone which the vehicle is in, i.e. change between summer and winter time is automatically

adjusted.) and where stopping the vehicle results in switching of the display, where the display during parking constantly shows the time of initiation of the parking (see Figs. 1-3), and where the display by resumption of the driving is switched to the actual time (Based on whether the ignition is on or off), where switching of the display by resuming the driving occurs on the basis of an electric signal (ignition is on) from at least detector (control means are connected to the ignition system of the vehicle).

However Hoj does not detect the electric signal based on speed or motion of a vehicle. If a vehicle is entered into a parking lot, but the ignition system is on and idling, there is a possibility that accurate calculation of parking hours may not be accomplished.

Yamaguchi discloses a display unit that may be mounted on a vehicle comprising a display controller that detects whether a vehicle is traveling (the vehicle is moving which in motion with a speed) or halted based on a switch for detecting the operation of a parking brake of an automobile as a vehicle and a vehicle speed pulse (acceleration/deceleration) for detecting the vehicle speed. The detection enables the vehicle to be accurately identified whether it is in motion or not.

In view of Yamaguchi's teaching, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to further employ the detection unit for detecting whether a vehicle is traveling or halted in addition to the parking meter of Hoj due to the fact that more accurate data related to a position and state of a vehicle can be recorded for the purposes of generating accurate parking hours and fees.

Conclusion


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Krueger (DE 19934004A1) discloses a time meter scale on a parking disc that is visible from outside the vehicle's front windscreen.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Monday - Friday 6:30a-3:00p (Maxi-Flex*).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Steven S. Paik
Primary Examiner
(steve.paik@uspto.gov)
Art Unit 2876